

State Water Resources Control Board

December 23, 2016

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7015 1520 0001 8017 1344

Mr. Austin Comp
Senior Fleet Maintenance Supervisor
Laguna Beach Fire Station No. 2
285 Agate Street
Laguna Beach, California 92651
acomp@lagunabeachcity.net

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT LAGUNA BEACH FIRE STATION NO. 2, 285 AGATE STREET,
LAGUNA BEACH**

Dear Mr. Comp:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on December 7, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Monitoring or Testing Records Onsite – The 2016, 2015, and 2014 annual monitoring certifications, spill containment and line leak detector tests, and the 2015 secondary containment testing report were not present at the time of inspection. These testing documents must be kept onsite for three years.	Diesel	December 7, 2016	Ongoing	H&SC 25293; 23 CCR 2712(b)
2	Failure to Maintain Monitoring Plan – The monitoring plan observed at the time of inspection did not include the sensor located inside the transition sump to the emergency generator. Add this sensor to the monitoring plan in CERS in the additional comments section.	Diesel	December 7, 2016	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2634 (a)(b)(c)&(d)

No.	Violation	Tank	Start Date	Stop Date	Regulation
3	Failure to Maintain Financial Responsibility – The certificate of financial responsibility observed at the time of inspection was expired. The bond rating document was from 2010 and must be updated.	Diesel	December 7, 2016	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
4	Failure to Maintain Tank Information Form (B Form) – Both the tank manufacturer and the tank installation date are missing on the tank information form.	Diesel	December 7, 2016	Ongoing	23 CCR 2711(a)
5	Failure to Monitor Product Piping – Sensors were unable to detect a leak at the earliest opportunity because the sensor in the dispenser was not at the lowest point, and the sensor in the piping sump was not in a vertical position.	Diesel	December 7, 2016	Ongoing	23 CCR 2630(d)
6	Failure to Maintain Primary Containment Product Tight – Red dye diesel was observed inside of the diesel dispenser at the time of inspection. This leak must be addressed.	Diesel	December 7, 2016	Ongoing	H&SC 25291(a)(1)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Orange County Health Care Agency within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, 23rd Floor
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA

Ms. Christine Lane
Program Manger
Orange County Health Care Agency
1241 East Dyer Road, #120
Santa Ana, California 92705
clane@ochca.com

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amanda Henkel". The signature is fluid and cursive, with the first name "Amanda" written in a larger, more prominent script than the last name "Henkel".

Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: *(via email only)*

Ms. Christine Lane, REHS
Program Manager
Hazardous Materials Surveillance Section
Environmental Health Division
clane@ochca.com